


Please substitute the following paragraph 5 to appear as follows:

 **[0005]** Layered modulation enables systems and methods of transmitting signals to accommodate enhanced and increased data throughput without requiring additional frequency bands. Systems using layered modulation can provide enhanced and increased throughput signals for new receivers while remaining compatible with legacy receivers. Newer layered modulation techniques (such as detailed in United States Patent Application No. 09/844,401, filed April 27, 2001, and entitled "LAYERED MODULATION FOR DIGITAL SIGNALS") also provide the unique advantage of allowing transmission signals to be upgraded from a source separate from the legacy transmitter. In other words, the layered signals can be asynchronous and/or non-coherent.

REMARKS

The foregoing amendments are made to place the specification in better form in accordance with U.S. Patent and Trademark Office practice. The applicants submit that no new matter has been added.

In accordance with the provisions of 37 C.F.R. 1.21, attached to this amendment is a marked-up version of the changes made to the specification by the current amendment. The attached page is captioned "Version With Markings To Show Changes Made."

In light of the foregoing, an early favorable action on the merits is respectfully requested. Should the Examiner have any questions, he is respectfully invited to telephone the undersigned.

Please charge any fees required in the filing of this amendment to Deposit Account No. 50-0383.

Respectfully submitted,

Dated: July 2, 2001

By:


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VERSION WITH MARKINGS TO SHOW CHANGES MADE**IN THE SPECIFICATION:**

Please substitute the following paragraph 1 to appear as follows:

[0001] This continuation-in-part application claims priority under 35 U.S.C. §120 from United States Patent Application No. 09/844,401[XXXXX], filed April 27, 2001[XXXXX], and entitled "LAYERED MODULATION FOR DIGITAL SIGNALS" and from United States Patent Application No. 10/068,047[XXXXX], filed February 5, 2002[XXXXX], and entitled "DUAL LAYER SIGNALPROCESSING IN A LAYERED MODULATION DIGITAL SIGNAL SYSTEM", which are both incorporated by reference herein.

Please substitute the following paragraph 5 to appear as follows:

[0005] Layered modulation enables systems and methods of transmitting signals to accommodate enhanced and increased data throughput without requiring additional frequency bands. Systems using layered modulation can provide enhanced and increased throughput signals for new receivers while remaining compatible with legacy receivers. Newer layered modulation techniques (such as detailed in United States Patent Application No. 09/844,401[XXXXX], filed April 27, 2001[XXXXX], and entitled "LAYERED MODULATION FOR DIGITAL SIGNALS") also provide the unique advantage of allowing transmission signals to be upgraded from a source separate from the legacy transmitter. In other words, the layered signals can be asynchronous and/or non-coherent.